

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

USI INTERNATIONAL INC.,

Plaintiff,

v.

FESTO DIDACTIC INC.,

Defendant.

Civil Action No.: 3:15-cv-08451
(MAS)(TJB)

**PRIVACY ACT AND PERSONAL
INFORMATION PROTECTIVE
ORDER**

This matter is before the Court on the parties' motion for a Privacy Act and Personal Information Protective Order pursuant to Fed. R. Civ. P. 26(c), permitting the United States Department of the Army ("Army"), which is not a party to this litigation, to disclose to counsel for the parties certain records in the Army's custody, control, or possession that are prohibited from disclosure under the Privacy Act of 1974, 5 U.S.C. § 552a, or are otherwise exempt from disclosure under Exemption 6 of the Freedom of Information Act, 5 U.S.C. § 552(b)(6).

To allow the United States Army to provide the information sought in a manner that does not violate the Privacy Act, to expedite the flow of materials relevant to the parties' requests pursuant to *United States ex rel. Touhy v. Ragen*, 340 U.S. 462 (1951), and to adequately protect personally identifiable information (PII) for individuals, the parties have stipulated to the entry of this Order setting forth the terms and conditions for such disclosures.

Accordingly, it is hereby ORDERED that:

1. The parties' motion is GRANTED

2. Disclosure and access to the records shall be limited pursuant to the Agreed Protective Order, dated July 6, 2017.

3. The records shall be used only in accordance with the Agreed Protective Order, dated July 6, 2017.

4. "Personal information" means the names and all other personally identifiable information pertaining to all individuals identified in the records disclosed by the Army pursuant to this order, which includes Army personnel, other U.S. Government personnel, other U.S. citizens, foreign individuals, or lawfully admitted permanent residents.

5. The specific records that shall be subject to this protective order are:

a. All records that the Army marks or otherwise identifies as being disclosed subject to the proposed protective order.

SO ORDERED, on this 3rd day of October, 2019.



Tonianne J. Bongiovanni
UNITED STATES DISTRICT JUDGE

Court entry No. 57 is terminated J.